BOMBAY REGULATION No. I OF 1950.

[THE BOMBAY BUILDING (CONTROL ON ERECTION) REGULATION, 1950.]

[*24th October 1950*]

A Regulation to provide for the control on erection and re-erection of buildings in the Scheduled areas in the State of Bombay.

WHEREAS it is necessary to provide for the control on erection and re-erection of buildings in the Scheduled Areas in the State of Bombay ;

AND WHEREAS it is necessary to provide for the aforesaid matter for the peace and good government of the said areas ;

NOW, THEREFORE, in exercise of the powers conferred by sub-paragraph (2) of paragraph 5 of the Fifth Schedule to the Constitution of India, the Governor of Bombay is, with the assent of the President, hereby pleased to make the following Regulation, namely :—

1. (*1*) This Regulation may be called the Bombay Building (Control on Erection) Regulation, 1950. Short title, extent, commencement and application.

(*2*) It extends to the Scheduled Areas in the State of Bombay.

(*3*) It shall come into force at once.

(*4*) It shall apply only to buildings which are intended to be used for the purpose of a theatre, a cinema or any other place of public amusement.

2. Section 2 to 14A of the Bombay Building (Control on Erection) Act, 1948 (Bom. XXXI of 1948), as amended, shall, so far as may be, apply to the Scheduled Areas in the State of Bombay. Application of Bom. XXXI of 1948 to Scheduled Areas.

SECTIONS.

142. Penalty for entering area from which person has been directed to remove himself.

143. Penalty for failure to surrender in accordance with sub-section (*3*) of section 63.

143A. Penalty for contravention of orders under section 63A.

144. Neglect or refusal to serve as special Police Officer.

145. Penalty for making false statement, etc., and for misconduct of Police Officers.

Consequence of failure to return to duty after leave.

146. Penalty for failure to deliver up certificate of appointment or of office or other article.

147. Vexatious entry, search, arrest, etc., by Police Officer.

148. Penalty for vexatious delay in forwarding a person arrested.

149. Penalty for opposing or not complying with direction given under section 70.

150. Jurisdiction when offender is a Police officer above the rank of constable.

151. Prosecution for certain offences against the Act to be in the discretion of the Police.

152. Prosecution for offences under other enactments not affected.

CHAPTER VIII.

MISCELLANEOUS.

153. Disposal of fees, rewards, etc.

154. No municipal or other rates to be payable by State Government on Police buildings.

155. Method of proving orders and notifications.

156. Rules and orders not invalidated by defect of form or irregularity in procedure.

157. Presumption in prosecutions for contravention of directions issued under section 55, 56, or 57.

157A. Officers holding charge of, or succeeding to, vacancies competent to exercise powers.

158. Forfeiture of bond entered into by person permitted to enter or return to the area from which he was directed to remove himself.

159. No Magistrate or Police officer to be liable to penalty or damage for act done in good faith in pursuance of duty.

160. No public servant liable as aforesaid for giving effect in good faith to any rule, order or direction issued with apparent authority.

SECTIONS.

161. Suits or prosecutions in respect of acts done under colour of duty as aforesaid not to be entertained, or to be dismissed, if not instituted within six months.

In suits as aforesaid one month's notice of suit to be given with sufficient description of wrong complained of.

Plaint to set forth service of notice and tender of amends.

162. Licences and written permissions to specify conditions, etc., and to be signed.

Revocation of licences, etc.

When licence revoked, etc., granted to be deemed without licence.

Grantee to produce licence, etc., when required.

163. Public notices how to be given.

164. Consent, etc., of a competent authority may be proved by writing under his signature.

165. Signature or notices, etc., may be stamped.

166. Persons interested may apply to State Government to annul, reverse or alter any rule or order.

When a suit shall lie to the District Court to declare a rule or order unlawful.

167. Repeal and saving.

168. Saving of Bombay Village Police Act and enactment relating to reserve Police.

SCHEDULE I.

SCHEDULE II.

SCHEDULE III.